

REMARKS

The Examiner noted that "[c]laims 7, 14, 23 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." *Office Action*, 7. The Applicants have amended the independent claims of the present application to incorporate the limitations of objected to claims 7, 14, 23, and 32 (and any intervening claims) as appropriate. As such, and in accordance with the Examiner's observations, the Applicants believe each independent claim to now be in condition for allowance. As each independent claim is in condition for allowance, each dependent claim therefrom is also allowable in that each dependent claim incorporates the limitations of any independent claim from which it depends. See 35 U.S.C. § 112, ¶ 4. The Applicants make this amendment solely for the purpose of expediting prosecution and reserve the right to pursue the broader claims through a continuation application.

CONCLUSION

The Applicants believe each and every claim to be in condition for allowance in that the prior art fails to teach, at the least, a system or method (as claimed) wherein the reduction in average rate of transmission is sufficient to reduce an effect that a transmission has on another transmission in a computer network. See *Office Action*, 7. As such, a *Notice of Allowance* is respectfully requested.

The Examiner is invited to contact the Applicants' undersigned representative with any questions concerning this amendment or the overall application.

Respectfully submitted,
Fouad A. Tobagi et al.

March 27, 2006

By:

Kenneth M. Kaslow

Kenneth M. Kaslow, Reg. No. 32,246

Carr & Ferrell LLP

2200 Geng Road

Palo Alto, CA 94303

T : 650.812.3400

F : 650.812.3444